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PTO/2B/30 (5/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/042,990
Filing Date	January 9, 2002
First Named Inventor	Geza Bruckner et al.
Group Art Unit	1617
Examiner Name	E.J. Webman
Attorney Docket Number	22740-1A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. §1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1133
- i. ☐ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed
- c. ☒ Please charge the amount of \$804.00 (\$750 - RCE Fee; \$54 - Additional Claim Fee) to our Visa credit card. Form PTO-2038 is enclosed
- d. ☒ The Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 04-1133

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Type/Print)	Rebecca A. Brown	Registration No. (Attorney/Agent)	47,452
Signature	<i>Rebecca Brown</i>	Date	5/19/2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE; Commissioner for Patents; Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the below date.

Name (Type/Print)	Rosemary Fields	Date	May 19, 2003
Signature	<i>Rosemary Fields</i>		

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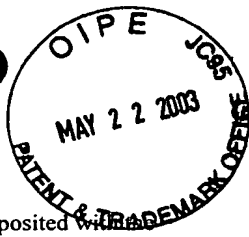
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Rosemary Fields  
Rosemary Fields



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Geza Bruckner. et al. : Paper No.  
Serial No.: 10/042,990 : Group Art Unit: 1617  
Filed: January 9, 2002 : Examiner: E. J. Webman  
For: **DIETARY COMPOSITIONS**

Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Request for Continued Examination (RCE) and an Amendment in the above-identified application.

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	27	24	3	x \$18 =	\$ 54.00
Independent Claims	3	3	0	x \$80 =	\$ 0.00
RCE Fee					\$750.00
<b>TOTAL FEE DUE</b>					<b>\$804.00</b>

- [X] Please charge the amount of \$804.00 to our Visa credit card. Form PTO-2038 is enclosed.  
[X] The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted

Rebecca A. Brown

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Date: May 19, 2003